

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. #609-984-6880
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**RECYCLING CENTER
GENERAL APPROVAL CONDITIONS
FOR RECEIPT, STORAGE, PROCESSING OR TRANSFER
OF CLASS B RECYCLABLE MATERIALS**

Under the provision of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this Approval is hereby issued to:

South State, Inc.

MUNICIPALITY:	<u>Fairfield Township</u>
BLOCK NO.(S):	<u>1</u>
LOT NO.(S):	<u>30, 22, and 28</u>
COUNTY:	<u>Cumberland</u>
CAPACITY:	<u>3,750 TPD</u>
RECYCLING CENTER NUMBER:	<u>0601001169</u>
APPROVAL EXPIRATION DATE:	<u>February 4, 2003</u>

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection or as may be amended in the future. All references to specific regulations include any future amendments thereto.

This Approval shall not prejudice any claim the State may have to riparian land, nor does it allow the facility or its principals to fill or alter, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

Compliance with the terms of this Approval does not relieve the facility or its principals of the obligation to comply with all applicable state and federal statutes, rules and other permits, and municipal approvals or ordinances which are not preempted by the DEP solid waste regulations at N.J.A.C. 7:26-1 et seq. and the recycling regulations at N.J.A.C. 7:26A-1 et seq.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five (5) years from the original issuance date. An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferable, except as set forth in N.J.A.C. 7:26A-3.15.

February 4, 1998
Issuance Date

Signed by Thomas Sherman, Assistant Director
Thomas Sherman
Assistant Director
Office of Permitting &
Technical Programs

March 29, 2000
Modification Date

February 4, 2003
Expiration Date

Recycling Center General Approval
for
South State, Inc.

A. AUTHORIZED RECYCLABLE MATERIALS

1. Permitted Class B Recyclable Materials

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

- a. Asphalt
Concrete
Brick
Block (includes cinder and concrete)
- b. Non-hazardous petroleum contaminated soils which otherwise would be ID 27 if not recycled.
 - i. Only soil contaminated with the following compounds shall be accepted and processed at this facility: gasoline, kerosene, jet fuel, Numbers 1 through 6 fuel oil, and used oil. Used oil shall be defined as any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities. No soils may be accepted that have been contaminated with materials that are other waste materials, or waste by-products, such as sludge.
 - ii. No soils with free petroleum product or other liquids, as determined by USEPA SW-846, Method 9095, Chapter 6.0, shall be accepted at the facility.
 - iii. No hazardous waste, as defined by N.J.A.C. 7:26G-5, shall be accepted by the facility.
- c. NJ DOT Street Sweepings containing less than 1,500 ppm total petroleum hydrocarbons.

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation

to the conditions of this Approval.

2. Sampling Protocol and Testing for Unprocessed Contaminated Soils (Revised 3/29/00)

- a. Collection, preservation, and handling for the sampling and analysis required in Conditions A.2, A.3 and A.4 must be performed in accordance with New Jersey's Technical Requirements for Site Remediation at N.J.A.C. 7:26E and the latest edition of "New Jersey Department of Environmental Protection, Hazardous Waste Programs, Field Sampling Procedures Manual". The Technical Regulations may be purchased from West Publishing at (800) 808-WEST. The sampling manual may be purchased from: NJDEP Maps and Publications, P.O. Box 402, Trenton, N.J. 08625. All analysis must be performed by a New Jersey certified laboratory.

All soils must be tested using the most current approved test methodology in accordance with USEPA SW-846.

- b. Petroleum contaminated soil shall be sampled either at the point of generation or at the recycling center. Soils from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as follows:
 - i. Every 100 cubic yards of contaminated soil from each site shall be sampled and analyzed for TPH in the following manner: a representative sample from every 20 cubic yards shall be taken and these five samples shall be composited into one sample and analyzed. When the volume is less than 100 cubic yards, a representative sample of every 20 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
 - ii. Every 800 cubic yards of contaminated soil shall be sampled and analyzed for arsenic, cadmium, chromium, lead, mercury, nickel, and total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards shall be taken and these samples shall be composited into one sample and analyzed. When the volume is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
 - iii. The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above

contaminants in accordance with N.J.A.C. 7:26G-5.

3. Sampling Protocol and Testing for Unprocessed Street Sweepings (Revised 3/29/00)

a. Street sweepings shall be sampled either at the point of generation or at the recycling center. Street sweepings from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as follows:

i. Every 100 cubic yards of street sweepings from each site shall be sampled and analyzed for TPH in the following manner: a representative sample from every 20 cubic yards shall be taken and these five samples shall be composited into one sample and analyzed. When the volume is less than 100 cubic yards, a representative sample of every 20 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.

ii. Every 800 cubic yards of street sweepings shall be sampled and analyzed for arsenic, cadmium, chromium, lead, mercury, nickel, and total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards shall be taken and these samples shall be composited into one sample and analyzed. When the volume is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.

iii. The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-5.

4. Sampling Protocol and Testing for Processed Material End Products

a. Processed material end products shall be sampled and analyzed for total petroleum hydrocarbons (TPH), total volatile organic compounds (VOC), and all contaminants listed in the Soil Cleanup Criteria (SCC) at N.J.A.C. 7:26E. The sampling procedure shall be implemented as follows:

i. Every 100 cubic yards of processed soil shall be

sampled and analyzed for the above contaminants in the following manner: a representative sample from every 20 cubic yards of processed soil shall be taken and these five samples shall be composited into one sample and analyzed.

- ii. Other levels of testing may be allowed on a case-by-case basis as determined by use criteria in accordance with Department guidance and regulations. Applications for case-specific testing requirements must be made to the Bureau of Landfill & Recycling Management.
- b. The following criteria shall be used to determine the end use of the processed material made from soil or other pre-approved admixtures and the allowable contamination levels for each use:
 - i. For unrestricted general use:

200 ppm TPH and all individual organic contaminants less than or equal to 50% and inorganic contaminants less than or equal to 75% of the most stringent direct contact soil cleanup criteria (SCC) except as authorized in writing by the Bureau of Landfill and Recycling Management.
 - ii. Other levels of contamination may be allowed on a case-by-case basis as determined by use criteria and levels of contamination in accordance with Department guidance and regulations. Applications for case-specific Certificates of Authority to operate beneficial use projects pursuant to N.J.A.C. 7:26-1.7(g) must be made to the Bureau of Resource Recovery and Technical Programs before any use of the processed material end products.

Any processed material end products that do not meet the above criteria must be reintroduced to the treatment process for further treatment. After treatment, the processed material end products must be reanalyzed in accordance with the above criteria.

All analysis records must be kept for a minimum of three years and made available for inspection by state and local officials upon request.

5. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and returned to the economic mainstream as raw material or products, may be received, stored, processed or transferred at this facility. Its receipt shall not be separately accounted for but its

storage and end-markets shall be subject to specific conditions of this Approval.

6. Contaminants

The maximum amount of contaminants, as defined in N.J.A.C. 7:26A-1.3, allowed in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

B. DESIGN AND CONSTRUCTION

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

1. Approved Documents

(Revised 3/29/00)

- ? Site Plan: prepared by Noon Associates Land Surveying - Civil Engineering, signed and sealed by Harold E. Noon, Jr., N.J.P.L.S., signed on March 8, 1999, also signed by Kent Schellinger, P.E., on March 8, 1999.
- ? Flowsheet Proposed Soil Washing; prepared by B-V Associates, dated March 27, 1993, last revised April 9, 1997, Drawing # SS-100-1, Rev. 2A, signed and sealed by Henry M. Betzig, P.E.
- ? Soil Washing Shed; prepared by B-V Associates, dated March 27, 1993, last revised December 22, 1994, Drawing # SS-801-1, Rev. 6B, signed and sealed by Henry M. Betzig, P.E.
- ? South State, Inc., Application for NJDEPE Approval for Recycling Center; prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates, dated April 22, 1992, amended July 15, 1992.
- ? South State, Letter and attachments dated, July 7, 1992, prepared and signed by Richard M. Milstead of Milstead, Gruccio, & DiDomenico.
- ? South State, Letter and attachments dated, September 2, 1992, prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates.
- ? South State, Inc. - Modification to General Class B Approval, prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff Associates.
- ? South State, Inc. - Letter dated December 20, 1994, prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates.
- ? South State, Inc. - Modification to General Class B

Recycling Center Approval, prepared and signed by Kenneth Meekins of South State, Inc., dated March 20, 1995.

- ? South State, Inc. - Modification to General Class B Recycling Center Approval, prepared and signed by Kenneth Meekins of South State, Inc., dated April 5, 1995.
- ? South State, Inc. - Letter and attached certification prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates, dated April 24, 1995.
- ? South State, Inc. - Modification to General Class B Recycling Center Approval, prepared and signed by Kenneth L. Woodruff and Associates, dated May 1, 1997.
- ? South State, Inc. - Letter prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates, dated June 12, 1997.
- ? South State, Inc. - Renewal letter prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates, dated November 13, 1997.
- ? South State, Inc. - Modification request prepared and signed by Kenneth L. Woodruff of Kenneth L. Woodruff and Associates, dated January 17, 2000.

C. RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

1. Hours of Operation

Hours of operation for receiving, storing, or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Saturday.

Hours of operation for processing source separated recyclable material as specified in Condition A.1 of this Approval shall be 24 hours per day, Monday through Saturday.

2. Residue

(Revised 3/29/00)

Residue defined as solid waste shall be transported by a NJDEP registered transporter for disposal pursuant to the applicable district solid waste management plan.

Residue shall be stored separately from recyclable material in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area

into, on or around the soil of the residue storage area.

No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Reclaimed Oil By-Product

Reclaimed oil by-product generated from the washing of the contaminated soil shall be stored separately from all other recyclable materials and in containers which prevents run-off, leakage or seepage from the reclaimed oil by-products storage area to other areas within the soil washing shed.

Should the reclaimed oil by-product display hazardous waste characteristics, it is the responsibility of the facility to handle the material in accordance with N.J.A.C. 7:26G-5 et seq., the Hazardous Waste Regulations.

4. Maximum Daily Capacity

The facility may receive no more than 3,750 tons per day of recyclable materials consisting of 2,750 tons per day of asphalt, concrete, brick and block, combined or separated and 1,000 tons per day of petroleum contaminated soil and NJDOT street sweepings, combined or separated, as specified in Condition A.1 of this Approval.

5. Maximum Weekly Capacity

The facility may receive no more than 22,500 tons per week of recyclable materials consisting of 16,500 tons per day of asphalt, concrete, brick and block, combined or separated and 6,000 tons per day of petroleum contaminated soil and NJDOT street sweepings, combined or separated, as specified in Condition A.1 of this Approval.

6. Unprocessed Materials Storage (Revised 3/29/00)

- a. The total amount of unprocessed asphalt, concrete, brick and block recyclable materials stored on site shall not exceed 52,580 cubic yards. Unprocessed materials stored on site shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

If at any time, the amount of unprocessed asphalt, concrete, brick and block recyclable material stored on site exceeds 52,580 cubic yards, the facility shall immediately cease receiving any unprocessed material until the amount of unprocessed material stored on site falls below 52,580 cubic yards.

- b. The total amount of unprocessed petroleum contaminated soils and/or NJDOT street sweepings stored on site shall not exceed 4,000 cubic yards and shall be stored only in the soil washing shed.

If at any time, the amount of unprocessed petroleum contaminated soil and/or NJDOT street sweepings

stored on site exceeds 4,000 cubic yards, the facility shall immediately cease receiving any unprocessed contaminated soils and NJDOT street sweepings until the amount of unprocessed petroleum contaminated soils and NJDOT street sweepings stored on site falls below 4,000 cubic yards.

Unprocessed recyclable materials asphalt, concrete, brick, block, petroleum contaminated soils, and NJDOT street sweepings shall not remain on site, in its unprocessed form, for more than one (1) year.

7. Processed Materials Storage (Revised 3/29/00)

- a. The total amount of processed asphalt, concrete, brick and block recyclable materials stored on site shall not exceed 29,570 cubic yards. Processed materials stored on site shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

If at any time, the amount of processed asphalt, concrete, brick and block recyclable material stored on site exceeds 29,570 cubic yards, the facility shall immediately cease processing activities until the amount of processed material stored on site falls below 29,570 cubic yards.

- b. The total amount of processed petroleum contaminated soils and/or NJDOT street sweepings stored on site shall not exceed 5,000 cubic yards. Processed petroleum contaminated soils and NJDOT street sweepings shall be stored only in those areas designated for that purpose as indicated on the approved site plan.

If at any time, the amount of processed petroleum contaminated soils and/or NJDOT street sweepings stored on site exceeds 5,000 cubic yards, the facility shall immediately cease processing activities until the amount of processed petroleum contaminated soils and NJDOT street sweepings stored on site fall below 5,000 cubic yards.

All processed material shall be stored separately from residues.

8. Reclaimed Oil By-Products Storage

The total amount of reclaimed oil by-product stored on site shall not exceed 80 drums. Reclaimed oil by-product shall be stored in the drum storage area within the soil washing shed.

If at any time, the amount of reclaimed oil by-product stored on site exceeds 80 drums, the facility shall immediately cease processing petroleum contaminated soils until the amount of reclaimed oil by-product falls below 80 drums.

Reclaimed oil by-product shall not remain on site for more

than ninety (90) days.

9. By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

10. Horizontal and Vertical Controls

- a. Horizontal and vertical control points for the unprocessed and processed materials stockpile areas for asphalt, concrete, brick and block shall be set and maintained on site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of 30 feet above the existing grade.
- b. Horizontal limitation markers for the unprocessed and processed petroleum contaminated soils stored within the soil washing shed shall be established to indicate the maximum extent of the stockpile areas. Vertical limitation markers within the shed shall be set at locations in close proximity of the stockpile areas and clearly establish an elevation of 24 feet for the unprocessed petroleum contaminated soils and 15 feet for the processed petroleum contaminated soils.
- c. Horizontal and vertical control points for the processed material stored outside the shed shall be set and maintained. Horizontal limitation markers shall be set at the corners of the processed material stockpile as depicted on the approved documents. Vertical limitation markers shall be set at locations in the close proximity of the processed material stockpile and clearly establish an elevation of 20 feet above the existing grade.

Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points. Within approximately thirty (30) days of the acceptance date of this Approval, a joint site inspection shall be held at the facility between the owner/operator and representatives of the Department for the purpose of establishing the locations of these markers

11. Commingling

The facility may receive, store, process or transfer source separated asphalt, concrete, brick, block separately or in a commingled manner. The commingling of petroleum contaminated soil and NJDOT street sweepings shall only be allowed after the testing requirements in Condition A.2 and A.3 have been met. The commingling of petroleum contaminated soil and NJDOT street sweepings

with asphalt, concrete, brick or block is strictly prohibited.

12. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinance including but not limited to nuisance, noise, fire and safety codes.

13. Air Pollution Control Permit (Revised 3/29/00)

All processing equipment shall be operated in a manner which is in compliance with any air pollution control permits issued pursuant to N.J.A.C. 7:27-8 and 7:27-22.

14. Safety Procedures

The operation of the recycling center shall be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on site.

15. Preparedness & Prevention & Contingency Plan

The preparedness and prevention plan and the contingency plan contained in the approved documents must be maintained on-site and updated as necessary.

16. Release Response

Upon detection of a release of contaminants to the environment the facility shall perform the following cleanup steps:

- i. Stop the release;
- ii. Contain the released contaminants;
- iii. Clean up and manage properly the released contaminants and other materials; and
- iv. if necessary, repair or replace any leaking soil containment systems prior to returning them to service.

17. Closure

Upon closure of the facility the owner or operator shall remove or decontaminate petroleum contaminated soils, containment system components, and structures and equipment and manage them as hazardous waste, unless the materials are not hazardous waste under NJAC 7:26G-5.

18. Inspections

All equipment and portions of the facility designated for the storage or processing of petroleum contaminated soils shall be visually inspected each operating day for integrity and leaks.

Records shall be maintained for all visual inspections. These records shall document that inspections were performed, any problems found, and the subsequent correction of such problems. All records shall be kept for a minimum of three years.

19. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and to maintain general cleanliness in the working environment.

20. Odor Control

(Revised 3/29/00)

The operation of the recycling center shall not cause any air contaminant, including an air contaminant detectable by the sense of smell, to be present in the outdoor atmosphere in such quantity and duration which is, or tends to be, injurious to human health or welfare, animal or plant life or property, except for malodorous emissions emanating from the facility which result in odors in areas over which the owner and/or operator has exclusive use or occupancy.

21. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code, N.J.A.C. 7:30.

22. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

23. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the standards set forth by New Jersey State Noise Control Regulations under N.J.A.C. 7:29-1.2.

24. Fire Protection and Emergency Response

(Revised 3/29/00)

Fire fighting and emergency procedures shall be posted, and shall include the telephone number of local fire, police, ambulance and hospital facilities.

If a fire occurs on-site, the facility shall immediately

notify the local fire official and within 24 hours, report the incident to the DEP Hotline at 1-877-WARNDEP

25. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1 of this Approval.
- b. The size, weight or other restrictions regarding materials to be received.
- c. A notice that all vehicles delivering materials to be recycling center will be inspected, and if found to contain contaminants greater than 1% by volume, will be rejected.
- d. A notice that persons bringing materials to the recycling center shall complete and certify a materials receipt form.

26. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be implemented to comply with this condition.

27. Site Access

Ingress and egress of the facility shall be restricted to Reeves Road only.

28. Hazardous Waste (Revised 3/29/00)

Any suspected or prohibited hazardous waste, as define at N.J.A.C. 7:26G-5, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1-877-WARNDEP. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

29. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

30. Tracking Records

The facility shall keep a record of each shipment of petroleum contaminated soil accepted for processing. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment shall include the following information:

- i. The name and address of the transporter who delivered the soil to the facility;
- ii. The name and address of the generator from whom the soil was sent;
- iii. The NJDEP registration number of the transporter;
- iv. EPA ID number (if applicable) of the generator;
- v. The quantity of soil accepted;
- vi. The date of acceptance.

All tracking records must be kept for a minimum of three years.

31. Operating Records

The facility shall maintain on-site a written operating record showing analysis records, tracking records, and summary reports of incidents requiring implementation of the contingency plan. This information shall be made available to Department personnel upon request and shall be kept for a minimum of three years.

32. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

33. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but is not limited to, the right to engage in the following activities:

- a. Sampling of any materials on site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including conditions of the recycling center approval

issued by the NJDEP; or

- e. Reviewing and copying all applicable records, which shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

D. RECORDKEEPING AND REPORTING

1. Recordkeeping

In accordance with N.J.A.C. 7:26A-3.17, the facility shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicate, at a minimum, the following:

- a. A daily record of the amounts of each recyclable materials by type and municipality of origin which are received, stored processed or transferred each day, expressed in tons or in cubic yards. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.
- b. The name, address, and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by the facility.
- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

The facility shall retain the information for three (3) calendar years following the calendar year for which reporting is required.

2. Reporting

a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, the facility shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the New Jersey Department of Environmental Protection on or before February 1 of each year, for the previous calendar

year. The summaries shall include monthly totals of the amount of recyclable material received from each customer by the municipality of origin. Furthermore, the summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26A-2.1(b)1;

b. Residue Disposal

The facility shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

The facility shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Chief, Bureau of Recycling & Planning
P.O. Box 421
Trenton, New Jersey 08625-0421

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of failure to so comply shall constitute a separate violation on the basis of which a penalty shall be assessed pursuant to N.J.S.A. 13:1E-9 and may subject the facility to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.